

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ALFRED D. HARVEY, JR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:10CV510 RWS
	)	
BANK OF AMERICA CORP., et al.,	)	
	)	
Defendants.	)	


**MEMORANDUM AND ORDER**

This matter is before me on defendants' motion to dismiss. Plaintiff's pro se complaint alleges violations of numerous federal statutes in an attempt to avoid a debt related to property owned by St. Louis Christian Center Church. Plaintiff is the President of St. Louis Christian Center Church. Defendants' motion to dismiss attaches materials outside the pleadings, and for this reason defendants ask the Court to treat the motion as one for summary judgment. Although plaintiff filed a response to the motion to dismiss and attached his own exhibits, I want to provide plaintiff with notice that the Court shall treat the motion as one for summary judgment. Accordingly, I will provide plaintiff with a brief extension of time, up to and including July 16, 2010, to file any additional materials in opposition to dismissal. Defendants may file any supplemental reply brief by July 26, 2010. Plaintiff is not required to file any additional materials, and if chooses not to do so

the Court will treat the motion as submitted and proceed to rule on it as one for summary judgment.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff may file any additional materials in opposition to dismissal by **July 16, 2010**, and defendants may file any supplemental reply brief by **July 26, 2010**.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 30th day of June, 2010.